

REMARKS

Reconsideration and withdrawal of the rejections set forth in the above-mentioned Office Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1, 4-18, 20-22 and 25-53 are currently pending in the application, with Claims 1, 38 and 50 being the independent claims. Claims 2, 3, 19, 23 and 24 previously have been cancelled. Claims 5 and 32 have been amended herein to better improve their form. Applicants submit that no new matter has been added.

In the Official Action, Claims 1, 38 and 50 were rejected under the judicially created doctrine of obviousness-type double patenting as allegedly unpatentable over Claim 1 of U.S. Patent No. 6,676,254 (Nagashima et al. '254) in view of U.S. Patent No. 5,953,031 (Omata et al.). Claims 1, 4-18, 20-22, 25-37 and 51 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,676,734 (Nagashima et al. '734). Claims 38-50, 52 and 53 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Nagashima et al. '734. These rejections are respectfully traversed.

Applicants' invention as recited in independent Claim 1 is directed to a recording method including a step of providing an ink from a recording head to a recording medium through a gap provided between the recording head and the recording medium. The ink being supplied to the recording head from an ink tank including an ink contact member and the ink contacting the ink contact member. The ink includes (i) a fluorescent coloring material; (ii) a nonionic surfactant; (iii) a compound which is not compatible with (ii); and (iv) a liquid medium for dissolving or dispersing (i), (ii) and (iii). The ink contact member is an ink-holding member made of polypropylene.

Applicants' invention as recited in independent Claim 38 is directed to an ink cartridge including an aqueous ink and an ink contact member. The ink includes (i) a fluorescent coloring material; (ii) a nonionic surfactant; (iii) a compound which is not compatible with (ii);

and (iv) a liquid medium for dissolving or dispersing (i), (ii) and (iii). The ink contact member is an ink-holding member made of polypropylene.

Applicants's invention as recited in independent Claim 50 is directed to an ink tank including an aqueous ink, an ink container and an ink-holding member. The ink includes (i) a fluorescent coloring material; (ii) a nonionic surfactant; (iii) a compound which is not compatible with (ii); and (iv) a liquid medium for dissolving or dispersing (i), (ii) and (iii). The ink-holding member includes polypropylene.

Applicants submit that none of the cited art teaches or suggests important features of the present invention.

Claim 1 of Nagashima et al. '254 recites a recording method including a step of providing an ink from a recording head to a recording medium through a gap provided between the recording head and the recording medium, the ink being supplied to the recording head from an ink tank including an ink contact member and the ink contacting the ink contacting member. The ink includes (i) a fluorescent coloring material; (ii) a nonionic surfactant; (iii) a compound which is not compatible with (ii) and which has a solubility parameter of not less than 15; and (iv) a liquid medium for dissolving or dispersing (i), (ii) and (iii). The ink contact member includes at least one compound selected from the group consisting of polyacetate and polyolefin.

Omata et al. was cited for its teaching an ink container made from polypropylene. Omata et al., however, does not teach or suggest use of an ink tank made from polypropylene with an ink containing a fluorescent coloring material nor does it teach or suggest a particular advantage to using polypropylene in an ink containing a fluorescent coloring material. Accordingly, Applicants submit that one of ordinary skill in the art would not be motivated to combine Nagashima et al. '254 with Omata et al.

Accordingly reconsideration and withdrawal of the obviousness-type double patenting rejection are requested.

Nagashima et al. '734 is directed to an ink having first and second organic compounds which are incompatible with each other, at least one of a compound exhibiting fluorescence properties and a coloring material exhibiting fluorescence properties, and a liquid medium. Nagashima et al. '734 also discloses an ink container for holding the ink. As materials for the ink container, Nagashima et al. '734 discloses, inter alia, a polymer formed by a condensation or polymerization reaction of organic compounds. The Examiner suggests that this disclosure anticipates Applicants' ink-holding member made of polypropylene. Applicants respectfully disagree.

The number of polymers that may be formed by a condensation or polymerization reaction of organic compounds is vast. Applicants submit that due to the number of polymers that may be formed by such a condensation or polymerization reaction, one of ordinary skill in the art would not at once envisage the use of polypropylene. Moreover, not all of the polymers formed by such a condensation or polymerization reaction provide the particular effect of the present invention. For example, polyurethane, which is disclosed in Nagashima et al. '734, falls within the category of polymers that may be formed by a condensation or polymerization reaction of organic compounds. As shown by the comparative examples in Applicants' specification, however, polyurethane does not provide the particular effect of the present invention. Applicants submit, therefore, that a simple recitation of polymers formed by a condensation or polymerization reaction of organic compounds does not anticipate Applicants' use of polypropylene because polypropylene cannot be at once envisaged by that recitation.

Thus, Applicants submit that Nagashima et al. '734 does not teach or suggest, at least, an ink-holding member made of polypropylene or an ink-holding member that comprises polypropylene. Accordingly, reconsideration and withdrawal of the § 102(e) rejections are requested.

Applicants submit that the present invention is patentably defined by independent Claims 1, 38 and 50. Dependent Claims 4-18, 20-22, 25-37, 39-49 and 51-53 are also patentable,

in their own right, for defining features of the invention in addition to those recited in the independent claims. Individual consideration of the dependent claims is requested.

Applicants submit that the application is in condition for allowance. Favorable reconsideration and withdrawal of the rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Mark A. Williamson', written over a horizontal line.

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